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Suzanne Henderson

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NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

AMENDED DESCRIPTION OF OIL, GAS AND MINERAL LEASE
AND MEMORANDUM OF OIL AND GAS LEASE

STATE OF TEXAS }
COUNTY OF TARRANT }

WHEREAS, Highway Lodging, L.P., a Texas Limited Partnership, by Anil Patel, as General Partner, lessor, did on the date of February 28, 2008, make and execute unto XTO ENERGY INC., Lessee, a certain unrecorded Oil, Gas and Mineral Lease as recorded by Memorandum of Oil and Gas Lease at Clerk Document D208072473, Official Public Records of Tarrant County, Texas, covering certain lands situated in Tarrant County, Texas to wit:

1.54 acres of land, more or less, being situated in the Crawford Brown Survey, A-157, Tarrant County, Texas, and being more particularly described as Tract One in that certain Special Warranty Deed dated September 19, 2003, from Owen/Marine Creek Land, L.P., a Texas limited partnership, to Highway Lodging, L.P., a Texas limited partnership, as recorded at Volume 17288, Page 136 of the Official Public Records of Tarrant County, Texas.

AND WHEREAS, said description is incomplete and indefinite and the lands intended to be covered are more accurately described as follows:

2.554 acres of land, more or less, of a called 1.54 acres, situated in the Crawford Brown Survey, A-157, Tarrant County, Texas, and being more particularly described as Tract One in that certain Special Warranty Deed with Vendor's Lien dated September 19, 2003, Owen/Marine Creek Land, L.P., a Texas limited partnership, to Highway Lodging, L.P., a Texas limited partnership, as recorded in Volume 17288, Page 136, Official Public Records, Tarrant County, Texas, and includes Lessor's interest to the center of Interstate 820 being called N.W. Loop 820.

NOW, THEREFORE, in consideration of the premises, and for the purposes of making the said lease definite and certain in respect to the identity of the lands to be covered thereby, the undersigned Anil Patel, as General Partner of Highway Lodging, L.P., a Texas Limited Partnership, does hereby declare that it was and is its intention to lease for oil and gas purposes the identical tract of land last above described; and does hereby amend said lease in respect to the description of the lands included therein, as aforesaid, and ratify and adopt the same as so amended.

EXCEPT as otherwise amended the above described lease is and shall remain in full force and effect as written in accordance with its terms and conditions, and the undersigned Lessor recognizes said lease as a valid and sustaining Oil, Gas and Mineral Lease.

IN WITNESS WHEREOF, this instrument is executed on the respective date of the acknowledgment below, but shall be effective as of February 28, 2008.

Highway Lodging, L.P., a Texas Limited Partnership

Anil Patel
By: Anil Patel, as General Partner

ACKNOWLEDGMENT

STATE OF TEXAS }
COUNTY OF TARRANT }

This instrument was acknowledged before me on the 10th day of October, 2008, by Anil Patel, as General Partner of Highway Lodging, L.P., a Texas Limited Partnership, acting on behalf of said partnership.



Cathy M Smalley
Notary Public, State of Texas

Return to: Bryson G. Kuba
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